

FIRE FACT NO. 002 CHECKLIST(s) : 99 & 99E

TITLE : SCHOOL INSPECTIONS

CHECKLIST ITEM(s) : 99E

REFERENCE(s) : K.S.A. 31-133, 31-144, 31-150

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A synopsis of the statutes, regulations, policies, and practices of the Kansas State Fire Marshal (KSFM)

- KSFM shall adopt reasonable rules and regulations, consistent with the provisions of this act, for the safeguarding of life and property from the hazards of fire and explosion. (K.S.A. 31-133 a)
- KSFM has statutory responsibility for the construction, maintenance and regulation of exits and fire escapes from all buildings and other places in which people work, live or congregate from time to time for any purpose except one and two family dwellings. (K.S.A. 31-133 a3).
- KSFM has statutory responsibility for the installation and maintenance of equipment intended for fire control, detection and extinguishment in all buildings and other places in which people work, live or congregate from time to time for any purpose except one and two family dwellings. (K.S.A. 31-133 a4).
- KSFM has statutory responsibility to establish standards for fire drills in all school buildings. (K.S.A. 31-133 a5).
- The rules and regulations adopted pursuant to this section *shall allow facilities in service* prior to the effective date of such rules and regulations, and not in strict conformity to such rules, to continue in service, ***so long as such facilities are not determined by the state fire marshal to constitute a distinct hazard to life or property.*** (K.S.A. 31-133 c)
- The rules and regulations adopted by the state fire marshal under authority of this act shall be known and may be cited as the Kansas fire prevention code. (K.S.A. 31-134 b)
- A ***school building*** is any building/structure built on the property of a school or used by a school. A school is any elementary, secondary, college, university or trade school, either public or private. (K.S.A. 31-144 a)

Under the provision of the Kansas Fire Prevention Code; all school buildings shall be inspected at least once each year by authorized representatives of the Kansas State Fire Marshal. (K.S.A. 31-144 b).



Kansas State Fire Marshal Prevention Division

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- The Kansas State Fire Marshal shall order the governing body having control of any school building or facility to correct any condition in such building or facility which is in violation of the Kansas Fire Prevention Code, *which the Fire Marshal deems dangerous, or which in any way prevents a speedy exit from such building.* After any such order is rendered, the governing body shall make the changes required to comply therewith. (K.S.A. 31-144 c).
- Any person who violates any provision of this act, any rule or regulation, any lawful order issued by the state fire marshal or by his authorized agent shall be guilty of a class B misdemeanor. Each day the offense continues after receipt of written notice shall constitute a separate violation. (K.S.A. 31-150a).
- *See Fire Fact 026 regarding new school construction.* Plan reviews by the Kansas State Department of Education/ Kansas State Fire Marshal/local building & fire officials are typically limited. Plan reviews have been conducted only since the late 1970's and have not been 100% effective in eliminating code violations in new construction. In addition, many school buildings were built prior to the adoption and enforcement of any building code. The KSFM focus in plan reviews and subsequent inspections is on exiting, notification, detection, separation, and suppression (the **ENDSS** protocol) and is intended to identify deviations from the adopted codes consistently. The inspection protocol reinforces construction features found common to both the Uniform Building Code for new buildings and the Life Safety Code for existing buildings to assure speedy exit. Any identified deviations must either be clarified or corrected by the designer in new construction to the satisfaction of the reviewing authority before construction; in existing construction by the owner. Issues cited are distinctly hazardous. (K.A.R. 22-18-3).

THE LOCAL JURISDICTION'S ROLE

In all cities of the first and second class in which there is a full-time fire chief or full-time fire inspector, the inspection of the school buildings shall be conducted by such chief or inspector. The chief or inspector shall report the findings from the inspection to the state fire marshal within 30 days after such inspection. (K.S.A. 31-144b).

If a conflict in interpretation occurs between the local building/fire authorities and State approved construction documents, the issue should be immediately brought to the State Department of Education School Facilities Office at 913-296-2627. The State Fire Marshal may interpret unresolved issues. (K.S.A. 31-134(3)b).